Regular Session, 2014

HOUSE BILL NO. 284

BY REPRESENTATIVE ST. GERMAIN

SUNSET LAW: Re-creates the Dept. of Transportation and Development

1   AN ACT

2   To enact R.S. 49:191(7) and to repeal R.S. 49:191(5)(d), relative to the Department of

3   Transportation and Development, including provisions to provide for the re-creation

4   of the Department of Transportation and Development and the statutory entities

5   made a part of the department by law; to provide for the effective termination date

6   for all statutory authority for the existence of such statutory entities; and to provide

7   for related matters.

8   Be it enacted by the Legislature of Louisiana:

9   Section 1. Pursuant to R.S. 49:193, the Department of Transportation and

10   Development and the statutory entities made a part of the department by law shall be re-

11   created effective June 30, 2014, and all statutory authority therefor is continued in

12   accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised

13   Statutes of 1950.

14   Section 2. All statutory authority for the existence of the Department of

15   Transportation and Development and the statutory entities made a part of the department as

16   re-created by Section 1 of this Act shall cease as of July 1, 2018, pursuant to R.S. 49:191.

17   However, the Department of Transportation and Development may be re-created prior to

18   such date in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the

19   Louisiana Revised Statutes of 1950.

1   Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that

2   those provisions are in conflict with the provisions of this Act.

3   Section 4. R.S. 49:191(7) is hereby enacted to read as follows:

4   §191. Termination of legislative authority for existence of statutory entities; phase-

5   out period for statutory entities; table of dates

6   Notwithstanding any termination dates set by any previous Act of the

7   legislature, the statutory entities set forth in this Section shall begin to terminate their

8   operations on July first of each of the following years, and all legislative authority

9   for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of

10   July first of the following year, which shall be the termination date:

11   *   *   *

12   (7) July 1, 2017:

13   (a) The Department of Transportation and Development and all statutory

14   entities made a part of the department by law.

15   Section 5. R.S. 49:191(5)(d) is hereby repealed in its entirety.

16   Section 6. This Act shall become effective on June 30, 2014; if vetoed by the

17   governor and subsequently approved by the legislature, this Act shall become effective on

18   June 30, 2014, or on the day following such approval by the legislature, whichever is later.

DIGEST

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Abstract: Re-creates the Dept. of Transportation and Development.

Present law (Sunset) provides that the Dept. of Transportation and Development and all the statutory entities made a part of that department by law shall begin to terminate their operations on July 1, 2014, and that all legislative authority for such entities shall cease as of July 1, 2015, unless the legislature enacts a bill authorizing the re-creation of the department and its statutory entities prior thereto.

Proposed law provides for the general re-creation of the Dept. of Transportation and Development and its statutory entities, effective June 30, 2014, in accordance with the "sunset" law. Proposed law supersedes the provisions of the "sunset" law which set out the procedure for review and re-creation and which require a separate bill to re-create each statutory entity within the department along with additional provisions. Proposed law makes

July 1, 2018, the new termination date and termination would begin July 1, 2017, unless the department is re-created again.

Effective June 30, 2014.

(Adds R.S. 49:191(7); Repeals R.S. 49:191(5)(d))